

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE FUTURE LAND USE ATLAS (FLUA) FOR RESEARCH PARK ACCESSORY MULTI-USE SITE(LGA 2004-00046), MODIFYING PAGE 27 OF THE FLUA BY CHANGING APPROXIMATELY 28.37 ACRES OF LAND, GENERALLY LOCATED ON THE WEST SIDE OF SEMINOLE PRATT WHITNEY ROAD, APPROXIMATELY 1/2 MILE NORTH OF NORTHLAKE BOULEVARD, FROM CONSERVATION (CON) TO TRANSPORTATION AND UTILITIES FACILITIES (U/T); PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, the Palm Beach County Local Planning Agency conducted its public hearing on June 11, 2004 to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on June 28, 2004 to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the Department of Community Affairs for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, Palm Beach County received on August 2, 2004 the Department of Community Affairs "Objections, Recommendations, and Comments Report," dated August 2, 2004 which was the Department's

1 written review of the proposed Comprehensive Plan amendments; and

2 WHEREAS, the written comments submitted by the Department of  
3 Community Affairs contained no objections to the amendments contained  
4 in this ordinance;

5 WHEREAS, on October 5 and October 13, 2004, the Palm Beach County  
6 Board of County Commissioners held a public hearing to review the  
7 written comments submitted by the Department of Community Affairs and  
8 to consider adoption of the amendments; and

9 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY  
10 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

11 Part I. Amendments to the 1989 Comprehensive Plan

12 Amendments to the text of the following Element of the 1989  
13 Comprehensive Plan are hereby adopted and attached to this Ordinance  
14 in Exhibit 1:

15 A. Future Land Use Atlas page 27 is amended as follows:

16 Application No.: Research Park Accessory Multi-Use Site (LGA  
17 2004-00046)

18 Amendment: From Conservation (CON) to Transportation  
19 and Utilities Facilities (U/T);

20 General Location: West side of Seminole Pratt Whitney Road,  
21 approximately ½ mile north of Northlake  
22 Boulevard;

23 Size: Approximately 28.37 acres;

24 Part II. Repeal of Laws in Conflict

25 All local laws and ordinances applying to the unincorporated area  
26 of Palm Beach County in conflict with any provision of this ordinance  
27 are hereby repealed to the extent of such conflict.

28 Part III. Severability

29 If any section, paragraph, sentence, clause, phrase, or word of  
30 this Ordinance is for any reason held by the Court to be  
31 unconstitutional, inoperative or void, such holding shall not affect  
32 the remainder of this Ordinance.

33 Part IV. Inclusion in the 1989 Comprehensive Plan

34 The provision of this Ordinance shall become and be made a part  
35 of the 1989 Palm Beach County Comprehensive Plan. The Sections of the  
36



Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

Part V. Effective Date

The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with Section 163.3184(1)(b), Florida Statutes, whichever is applicable. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Florida Department of Community Affairs, Division of Community Planning, Plan Processing Team. An adopted amendment whose effective date is delayed by law shall be considered part of the adopted plan until determined to be not in compliance by final order of the Administration Commission. Then, it shall no longer be part of the adopted plan unless the local government adopts a resolution affirming its effectiveness in the manner provided by law.

APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach County, on the 13th day of OCTOBER, 2004.

ATTEST:  
DOROTHY H. WILKEN, Clerk

PALM BEACH COUNTY, FLORIDA,  
BY ITS BOARD OF COUNTY COMMISSIONERS

By: [Signature] Deputy Clerk

By: [Signature] Karen T. Marcus, Chair

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

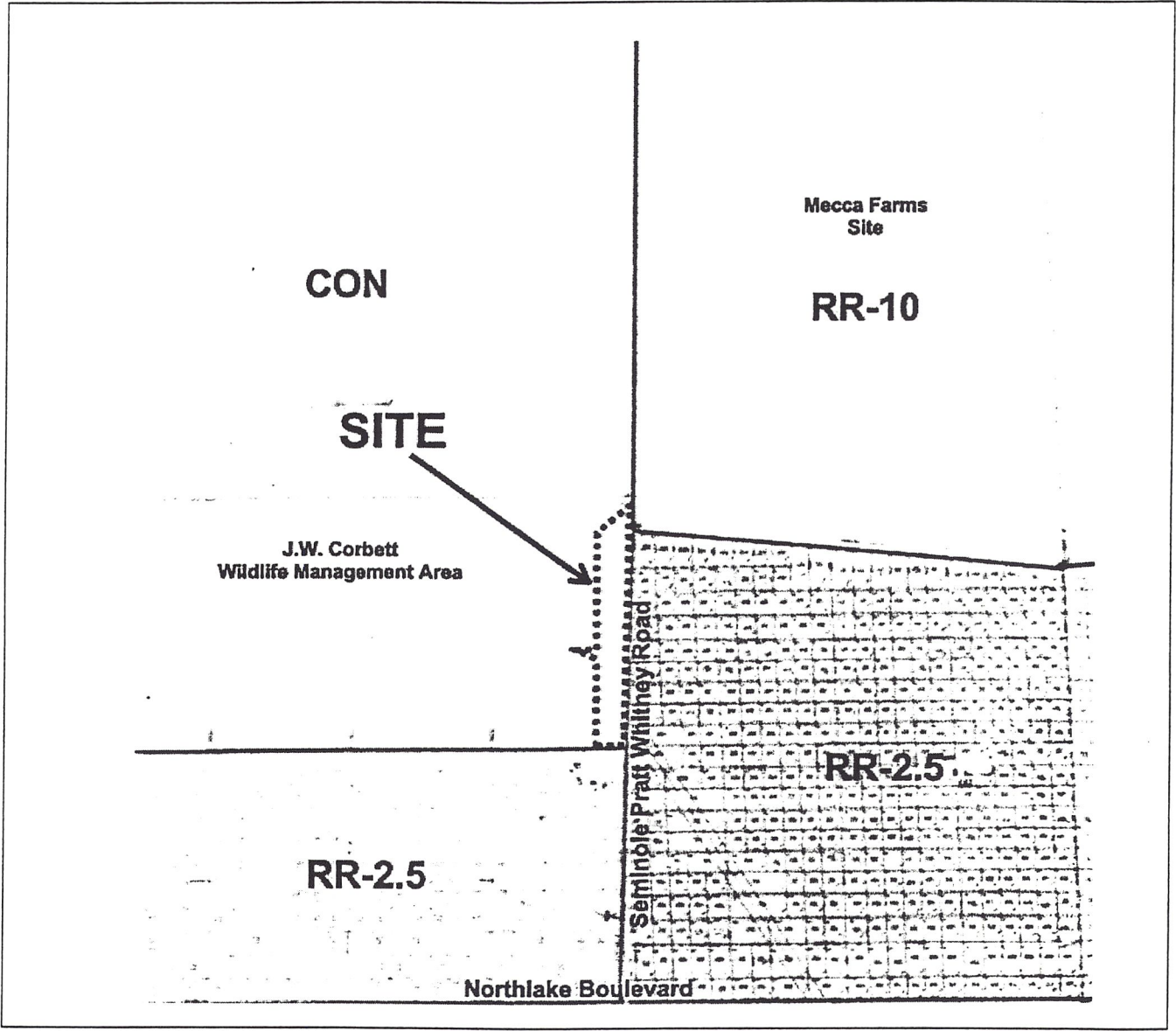
[Signature]  
COUNTY ATTORNEY

Filed with the Department of State on the 21 day  
of October, 2004.

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EXHIBIT 1

Amendment No.:	Research Park Accessory Multi-Use Site (LGA 2004-00046)
FLUA Page No.:	27
Amendment:	From Conservation (CON) to Transportation and Utilities Facilities (U/T)
Location:	West side of Seminole Pratt Whitney Road, approximately ½ mile north of Northlake Boulevard
Size:	Approximately 28.37 acres
Property No.:	00-40-42-13-00-000-1000 (portion of)
Legal Description:	See Attached
Condition:	None



## LEGAL DESCRIPTION:

A PARCEL OF LAND IN SECTIONS 12 AND 13, TOWNSHIP 42 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE EAST QUARTER CORNER OF SAID SECTION 13; THENCE ALONG THE EAST LINE OF SAID RANGE 40 EAST, N01°25'15"E FOR 334.69 FEET TO THE WEST QUARTER CORNER OF SECTION 18, TOWNSHIP 42 SOUTH, RANGE 41 EAST; THENCE CONTINUE N01°25'15" E FOR 2305.55 FEET TO THE NORTHEAST CORNER OF SAID SECTION 13; THENCE CONTINUE N01°25'15" E FOR 376.92 FEET TO THE NORTHWEST CORNER OF SAID SECTION 18; THENCE CONTINUE ALONG SAID RANGE LINE, N02°47'38" E FOR 1253.41 FEET TO A NON-TANGENT CURVE, CONCAVE TO THE EAST, HAVING A RADIUS OF 1564.01 FEET, WHERE A RADIAL LINE BEARS S61°09'40" E; THENCE SOUTHERLY, ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 13°03'07" FOR 356.28 FEET TO A POINT OF TANGENCY; THENCE S15°47'13" W FOR 295.12 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 2559.36 FEET; THENCE SOUTHERLY, ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 14°21'58" FOR 641.72 FEET TO A POINT OF TANGENCY ON A LINE LYING 250.00 FEET WEST OF, AND PARALLEL WITH, THE SAID EAST LINE OF RANGE 40 EAST; THENCE ALONG SAID PARALLEL LINE, S01°25'15" W FOR 761.95 FEET; THENCE N88°34'45" W FOR 627.90 FEET TO THE EASTERLY LINE OF A 185' FPL EASEMENT, RECORDED IN OFFICIAL RECORD BOOK 765, PAGE 68, OF SAID THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE ALONG SAID EASTERLY LINE, S34°54'14" E FOR 1060.00 FEET TO SAID LINE LYING 250.00 FEET WEST OF, AND PARALLEL WITH, THE EAST LINE OF RANGE 40 EAST; THENCE ALONG SAID PARALLEL LINE, S01°25'15" W FOR 1407.95 FEET TO THE SAID EAST-WEST QUARTER SECTION LINE OF SECTION 13; THENCE ALONG SAID EAST-WEST QUARTER SECTION LINE, N89°52'25" E FOR 250.08 FEET TO THE POINT OF BEGINNING.

CONTAINING 28.37 ACRES, MORE OR LESS.

STATE OF FLORIDA, COUNTY OF PALM BEACH  
I, DOROTHY H. WILKEN, ex-officio Clerk of the  
Board of County Commissioners certify this to be a  
true and correct copy of the original filed in my office  
on October 13, 2004  
DATED at West Palm Beach, FL on 11/2/04  
DOROTHY H. WILKEN, Clerk  
By: Deane Brown D.C.